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1                   IN THE UNITED STATES DISTRICT COURT COURT  
2                   WESTERN DISTRICT OF TEXAS  
3                   AUSTIN DIVISION  
4                   )  
5                   JEREMY HOWELL,                   )  
6                   PLAINTIFF                   )  
7                   )  
8                   VS.                           ) CIVIL ACTION NO. A07CA017SS  
9                   )  
10                  AUSTIN INDEPENDENT SCHOOL    )  
11                  DISTRICT and JAMES JOHNSTON,)  
12                  DEFENDANTS                   ) (JURY DEMAND)  
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10                  ORAL DEPOSITION OF JAMES SCOTT JOHNSTON  
11                  Taken December 20, 2007

12                  ORAL DEPOSITION OF JAMES SCOTT JOHNSTON,  
13                  produced as a witness at the instance of the Plaintiff,  
14                  and duly sworn, was taken in the above styled and  
15                  numbered cause on December 20, 2007, from 1:28 p.m. to  
16                  4:36 p.m., in the offices of Koole Court Reporters of  
17                  Texas, 711 Navarro Street, #101, San Antonio, Texas,  
18                  before Joy N. Quiroz-Hernandez, Certified Shorthand  
19                  Reporter Number 8391 in and for the State of Texas,  
20                  reported by computerized stenotype, pursuant to the  
21                  Texas Rules of Civil Procedure (and the provisions  
22                  stated on the record or attached therein).  
23  
24  
25

## A P P E A R A N C E S:

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14       Q.    Okay.  Do you remember Cathy Bennett?

15       A.    **Yes.**

16       Q.    What was her position?

17       A.    **She was the assistant director. I think she**  
18       **was the first assistant.**

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2 Q. Do you keep in touch with Ms. Bennet?

3 **A. No.**

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4 JEREMY HOWELL, )  
5 PLAINTIFF )  
6 VS. ) CIVIL ACTION NO. A07CA017SS  
7 AUSTIN INDEPENDENT SCHOOL )  
8 DISTRICT and JAMES JOHNSTON, )  
DEFENDANTS ) (JURY DEMAND)  
9 )

12 I, Joy N. Quiroz-Hernandez, Certified  
13 Shorthand Reporter in and for the State of Texas, do  
hereby certify to the following:

15 That the witness was duly sworn by the  
officer and that the transcript of the oral deposition  
16 is a true record of the testimony given by the witness;

That the deposition transcript was submitted on January 9, 2008 to the witness, James Scott Johnston, for examination, signature, and return to Integrity Legal Support Solutions by February 9, 2008;

That the amount of time used by each party  
21 at the deposition is as follows:

22 MR. MATHIS - 50 Minutes  
MR. COLE - 2 Hours 8 Minutes

24 That pursuant to information given to the  
25 deposition officer at the time said testimony was taken,  
the following includes all parties of record:

1 FOR THE PLAINTIFF:

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11  
12 I further certify that I am neither  
13 counsel for, related to, nor employed by any of the  
14 parties in the action in which this proceeding was  
15 taken, and further that I am not financially or  
16 otherwise interested in the outcome of the action.

17 Further certification requirements  
18 pursuant to Rule 203 of the Texas Rules of Civil  
19 Procedure will be complied with after they have  
20 occurred.

21 Certified to by me this 7<sup>th</sup> day of  
22 January, 2008.

23  
24   
25 Joy N. Quiroz-Hernandez, CSR  
CSR No. 8391 - Expires 12/31/09  
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